Appln. No.: 10/796,543

Amendment Dated February 25, 2008

Reply to Office Action of November 28, 2007

## **Remarks/Arguments:**

Claims 1-7 are pending in the application with claims 5-7 withdrawn from consideration. Claim 1 has been amended. The restriction of claims 5-7 has apparently been withdrawn and the claims have been reinstated into the application, as indicated in the Office Action dated November 28, 2007. Claims 1-7, therefore, remain pending in the application.

Applicants thank Examiner Truong for the December 14, 2007 Examiner Interview. A summary of the interview is set forth in the remarks below. As a preliminary matter, Applicants' attorneys requested that the finality of the current Office Action be withdrawn in view of the previous two Responses submitted by Applicants in which no substantive claim amendments were made. Examiner Truong disagreed and contended that because the claims were amended in response to the first non-Final Office Action, all subsequent Office Actions were properly made Final. Applicants also requested, and again request, that any further searching be complete, and the improper practice of citing one new reference in each Office Action be discontinued.

With respect to the substantive rejection, Applicants requested a clarification of the reliance on U.S. Patent No. 6,245,089 ("Daniel"). Specifically, Applicants questioned how the cited mesh 22 of Daniel is anticipatory of Applicants' sealing member. In response, the Examiner acknowledged that the mesh of Daniel is distinguishable from Applicants' sealing member, but required clarifying language be included in the claim even though such is described in the specification. Examiner Truong even pointed to specific language from Applicants' specification as a basis for amending the claim. Examiner Truong indicated that by including the amendment to claim 1, the rejection based on the Daniel reference would be overcome.

Applicants hereby amend claim 1 to include the suggested clarifying language. Applicants submit that such clarifying amendment merely adds such language from the specification and that the claim scope remains unchanged. In spite of such, Examiner Truong indicated that the amendment would raise new issues for consideration and would not be entered without the filing of a Request for Continued Examination ("RCE").

Ultimately, although Applicants disagree with Examiner Truong's position, in order to expedite prosecution, Applicants have amended claim 1 as suggested by the Examiner and submit the amendment in the RCE filed herewith.

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The Examiner has acknowledged that the claims as amended overcome the cited references. Applicants respectfully submit that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are hereby respectfully requested.

Respectfully submitted,

Glenn M. Massina, Reg. No. 40,081 James C. Abruzzo, Reg. No. 55,890

Staley Reser

Attorneys for Applicants

GMM/JCA/snp

Dated: February 25, 2008

P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being electronically transmitted to: Commissioner for Patents on:

February 25, 2008

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